



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING


GRETCHEN WHITMER  
GOVERNOR

MICHAEL F. RICE, Ph.D.  
STATE SUPERINTENDENT

**MEMORANDUM**

**DATE:** April 10, 2020

**TO:** Local and Intermediate School District Superintendents  
Public School Academy Directors

**FROM:** Venessa A. Keesler, Ph.D., Deputy Superintendent   
Division of Educator, Student, and School Supports

**SUBJECT:** Answers to Commonly Asked Questions on Section 31a and Section 41  
Funds During the COVID-19 Pandemic

During the time of emergency school closure due to the COVID-19 crisis, the Michigan Department of Education (MDE) is providing guidance to assist local education agencies (LEAs) with the implementation of state budget categorical Section 31a and Section 41 programs.

MDE has received the following questions from LEA staff. Current answers are provided, and updated information will be shared as it becomes available.

**1. May LEAs use state funds to compensate employees currently paid from Section 31a or Section 41 during the mandated school closings amid the COVID-19 pandemic?**

Yes. These state funds may be used to compensate employees who are currently paid from these sources. If an LEA has an employee currently paid using Section 31a or Section 41 funds, it may continue to use these funds to pay that employee during the period of closure. The Office of Educational Supports (OES), Special Populations Unit, will work with districts on addressing individual questions related to allocating salaries and benefits to state grants.

MDE recommends that LEAs use the [same general guidelines as those provided for Federal funds](#). See Education General Administrative Regulations (EDGAR) 2 CFR 200.430(a)(1) and 2 CFR 200.431(a) for regulations.

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**2. May an LEA use state funds to cover fees associated with the cancellation of conferences and related travel expenses due to the COVID-19 pandemic?**

Professional learning conference fees and expenses that were previously scheduled with these categorical state funds will be an allowable expenditure in the 2019-20 reports. LEAs should seek reimbursement, rescheduling, or a change in mode from in person to virtual. Section 31a and Section 41 funds must be utilized for professional learning that meets the intent and purpose of each section.

**3. Will flexibility be provided regarding Section 31a and Section 41 carryover guidance amid the COVID-19 pandemic?**

MDE will work with LEAs on a case by case basis if they exceed 25% carryover on 2019-20 Section 31a or Section 41 funds due to the COVID-19 pandemic. LEAs will be contacted by program consultants after July 15, 2020, following the reporting of program and fiscal activities.

**Section 41 Specific Questions:**

**4. Will LEAs be allowed a late amendment period to adjust the 2019-20 Section 41 Application due to the COVID-19 pandemic?**

The OES will allow late amendments once the COVID-19 pandemic school closures have been lifted. The OES will provide more information and timelines once determined.

**Section 31a Specific Questions:**

**5. What requirements should LEAs consider when determining how to use Section 31a funding for needs related to online and distance learning during the COVID-19 pandemic?**

- Section 31a funding may be utilized to support supplemental instructional and non-instructional needs for at-risk eligible students, while meeting the intent and purpose of increasing academic achievement. Michigan LEAs must continue to determine the unique needs of their at-risk population and strategies, or resources, needed to overcome these barriers to academic achievement and full school participation.
- Section 31a funds may be utilized for schoolwide reforms for school buildings with more than 40% **at-risk** eligible students.
- The table below has identified potential needs and allowable activities for at-risk eligible students that can support the planning of the Continuity of Learning and COVID-19 Response Plan.

### **Section 31a Needs Driven Allowable Activities**

<b>Needs</b>	<b>Eligibility</b>	<b>Potentially Allowable Activities*</b>	<b>Annual Program &amp; Fiscal Reporting Category</b>
Technology (devices, hotspots, software)	<ul style="list-style-type: none"> <li>At-risk eligible students only</li> <li>If the school building qualifies for school-wide reform with at least 40% at-risk eligible student population, all students enrolled in the school are eligible for the support</li> </ul>	<ul style="list-style-type: none"> <li>Purchase of devices such as laptops or iPads to provide students with access to engage in learning during school closure</li> <li>Temporary internet access through the use of hot spots or other means to provide students with access to online learning platforms during school closure</li> </ul>	<ul style="list-style-type: none"> <li>Instructional Materials</li> <li>Indicate school-wide reform, write the reform type in the "other" category, and itemize purchases in Instructional Materials</li> </ul>
Access to Meals	<ul style="list-style-type: none"> <li>At-risk eligible students and parent/guardians picking up meals for at-risk eligible students</li> </ul>	<ul style="list-style-type: none"> <li>Temporary transportation provisions for families to access food pick up sites from LEAs, food banks</li> </ul>	<ul style="list-style-type: none"> <li>Crisis Intervention</li> </ul>
Printed Instructional Materials and Supplies	<ul style="list-style-type: none"> <li>At-risk eligible students only</li> <li>If the school building qualifies for school-wide reform with at least 40% at-risk eligible student population, all students enrolled in the school are eligible for the support</li> </ul>	<ul style="list-style-type: none"> <li>Purchase of instructional materials and supplies such as printed research-based learning materials, pencils, markers, paper to engage students in learning opportunities during school closure</li> </ul>	<ul style="list-style-type: none"> <li>Instructional Materials</li> <li>Indicate school-wide reform, write the reform type in the "other" category, and itemize purchases in Instructional Materials</li> </ul>

\*Activities may or may not be allowable depending on district context and the specifics of the legislation. If a district is unsure if an activity is allowable, please email the Office of Educational Supports at the email address below and we will provide assistance in making that determination.

If you have additional questions, or questions regarding this communication, please email [OESSpecialPops@michigan.gov](mailto:OESSpecialPops@michigan.gov).

cc: Michigan Education Alliance